



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CRIMINAL APPLICATION (ABA) NO. 515 OF 2025

(Mangesh Dharma Tambe

Vs.

State of Maharashtra, Thr. PSO, Police Station, Nandgaonpeth,
Amravati.)

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mrs. Maira Ateeb, Advocate for the Applicant.

Mr. Aditya Gohokar, APP for the Non-applicant/State.

CORAM: URMILA JOSHI-PHALKE, J.

DATED : 23rd JULY, 2025

1. Heard.

2. Apprehending the arrest at the hands of Police in connection with Crime No.451/2024 registered with Police Station Nandgaonpeth, District Amravati for the offences punishable under Sections 109, 189(2), 191(2), 191(3) 190, 118(1) and 352 of the Bharatiya Nyaya Sanhita (BNS), 2023, the Applicant approached to this Court for grant of anticipatory bail.

3. Heard learned Counsel for the Applicant, who submitted that the crime is registered against the present Applicant on the basis of the report lodged by the Informant on an allegation that on 18.12.2024 at about 09.30 a.m. in the morning he left for work and just after leaving his house

he saw his uncle Raghunath Krushna Shinde was being assaulted by fist, blows and kicks. The persons involved in the said assault are Shivanth Tambe and others including the present Applicant. It is further alleged that, the present Applicant was holding knife in his hand and assaulted the injured Raghunath Krushna Shinde by means of knife on his chest as well as his wrist, due to which he has sustained grievous injuries. On the basis of which the Police have registered the crime against the present Applicant.

4. Heard learned Counsel for the Applicant, who submitted that due to the previous enmity this false FIR is lodged against the present Applicant. As far as the allegation is concerned, which is only to the extent of assault by fist and kick blows, the custodial interrogation is not required. Moreover, the Applicant is suffering from heart ailment, and therefore, he be released on anticipatory bail.

5. Learned APP strongly opposed the said Application on the ground that considering the role attributed to the present Applicant who has caused the injuries to the injured by means of knife, his custodial interrogation is required. He further invited my attention towards injury certificate and submitted that the injured Sunil alias Dadaban Subhash Shinde has sustained grievous injuries on the vital parts of the body. In view of that, the Application deserves to be rejected.

6. On hearing both the sides and on perusal of the investigation papers, it reveals that, the vital role is attributed

to the present Applicant. The present Applicant came to the spot of incident by preparing himself by holding knife in his hand and caused the grievous injuries to the injured, and therefore, considering the nature of injuries sustained by the injured and the role attributed to the present Applicant, the Application deserves to be rejected. Accordingly, I proceed to pass following order:

ORDER

i. The Application is **rejected**.

7. Pending application/s, if any, shall stand disposed of accordingly.

(URMILA JOSHI-PHALKE, J.)